

RECEIVED
CENTRAL FAX CENTER
NOV 03 2008

Restricted
Confidential
Limited access



Patent Department - RY 60-30
Merck & Co., Inc.
P.O. Box 2000
Rahway, NJ 07065

FACSIMILE COVER SHEET

Date: November 3, 2008

Please deliver the following message to:

Commissioner for Patents

Fax Number: (571) 273-8300
Phone Number: (571) 272-0662

Examiner's Name: Venkataraman Balasubramanian (Bala)
Group number: 1624
Phone number: (571)272-0622

OK TO ENTER: /VB/

This message is from:

Name: J. Eric Thies
Fax number: (732) 594-2250
Phone number: (732) 594-3904

RE: USSN: 10/574,087
Filing Date: March 21, 2007
Applicants' Ref.: Case BY0031
For: METHOD FOR TREATING CIRCADIAN RHYTHM DISRUPTIONS

NUMBER OF PAGES BEING TRANSMITTED (INCLUDING COVER): 11

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL (732) 594-1251

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below

Type or print name of person signing certification

Christine Dona

Signature: Christine M. Dona Date November 3, 2008

RECEIVED
CENTRAL FAX CENTER
NOV 03 2008

Response under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group: 1624

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Norikazu Ohtake et al.

Serial No.: 10/574,087

Case No.: BY0031

Filed : March 21, 2006

For : NOVEL PIPERIDINE DERIVATIVE

Art Unit:

1624

Examiner

Venkataraman

Balasubramanian

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. §1.116

Sir:

With reference to the Official action of August 1, 2008, made final, for which a response is permitted by November 1, 2008, or the next business day thereafter, the Applicants respectfully request reconsideration of the application in view of the following remarks in the hope that they will place the application in condition for allowance or at least in better condition for appeal. Any additional fees associated with this Response may be charged to Merck Deposit Account No. 13-2755.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this response. **Remarks** begin on page 8 of this response.